

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 224

AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 16-18-2-150 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 150. (a) "Governing body", for purposes of IC 16-22-7, has the meaning set forth in IC 16-22-7-2.

(b) **"Governing body", for purposes of IC 16-27-0.5, has the meaning set forth in IC 16-27-0.5-0.5.**

~~(b)~~ (c) "Governing body", for purposes of IC 16-41-22, has the meaning set forth in IC 16-41-22-3.

SECTION 2. IC 16-27-0.5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. As used in this chapter, "governing body" means the board of trustees, governing board, board of directors, or other body responsible for governing a home health agency or a hospice.**

SECTION 3. IC 16-27-0.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The home health care services and hospice services council is established.

(b) The council consists of sixteen (16) members as follows:

- (1) One (1) licensed physician experienced in home health care.
- (2) One (1) licensed physician with certification in hospice and palliative medicine.

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- (3) Four (4) individuals as follows:
    - (A) One (1) individual engaged in the administration of a nonhospital based home health agency.
    - (B) One (1) individual engaged in the administration of a hospital based home health agency.
    - (C) One (1) individual engaged in the administration of:
      - (i) a nonhospital based hospice; or
      - (ii) a hospice licensed under IC 16-25-3 that provides in-patient care.
    - (D) One (1) individual engaged in the administration of a hospital based hospice.
  - (4) One (1) registered nurse who is licensed under IC 25-23 and experienced in home health care.
  - (5) One (1) registered nurse who is licensed under IC 25-23 with certification in hospice and palliative medicine.
  - (6) One (1):
    - (A) physical therapist licensed under IC 25-27;
    - (B) occupational therapist certified under IC 25-23.5; or
    - (C) speech-language pathologist licensed under IC 25-35.6; experienced in home health care.
  - (7) One (1) citizen having knowledge of or experience in hospice care.
  - (8) One (1) citizen having knowledge of or experience in home health agency care.
  - (9) One (1) registered pharmacist who is licensed under IC 25-26 with experience in hospice and palliative medicine.
  - (10) One (1) respiratory care practitioner who is licensed under IC 25-34.5 and experienced in home care.
  - (11) One (1) individual who is a bereavement counselor with experience in hospice care.
  - (12) The commissioner or the commissioner's designee.
  - (13) The secretary of family and social services or the secretary's designee.
- (c) The governor shall appoint the members of the council designated by subsection (b)(1) through (b)(11).
- (d) Except for the members of the council designated by subsection (b)(12) through (b)(13), all appointments are for four (4) years. If a vacancy occurs, the appointee serves for the remainder of the unexpired term. A vacancy shall be filled from the same group that was represented by the outgoing member.
- (e) Except for the members of the council designated by subsection (b)(3), a member of the council may not:

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(1) have ~~a pecuniary~~ **an ownership** interest in the operation of; or  
~~provide professional services through employment or under contract to~~

(2) **serve as a voting member on the governing body of;**  
a home health agency licensed under this article or a hospice licensed under IC 16-25.

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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